

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

USA	§	
	§	
vs.	§	NO: SA:19-CR-00106(1)-DAE
	§	
(1) Benjamin Bogard	§	

SCHEDULING ORDER

The Court makes the following schedule as to this defendant:

The deadline for notifying the court of any **plea agreement** entered into by the parties in this cause is **Friday, April 12, 2019**. No plea agreement entered into after that date shall be honored by this Court without good cause shown for the delay.

Should a plea agreement be reached and filed in this case and absent written objection filed contemporaneously therewith, this case will be referred to a United States Magistrate Judge for the purpose of administering the plea of guilty and the Fed. R. Crim. P. 11 allocution, subject to final approval and the imposition of sentence by the United States District Court.

Jury selection and trial are set for **Monday, April 29, 2019 at 9:30 AM** in Courtroom 5 of the John H. Wood, Jr., United States Courthouse, 655 E. Cesar Chavez Boulevard, San Antonio, Texas. **Motions in limine are due April 16, 2019, responses are due April 18, 2019.** No pretrial motions will be accepted by the court after said deadlines, without showing good cause for the delay.

Pretrial Submissions

Pursuant to Local Rule 16(e), the Court **ORDERS** all parties to serve and file the following information by the close of business **Monday, April 22, 2019:**

(1) A list of questions the party desires the court to ask prospective jurors.

(2) A list of stipulated facts.

(3) An appropriate identification of each exhibit as specified in this rule (except those to be used for impeachment only), separately identifying those that the party expects to offer and those that the party may offer if the need arises.

(4) The name and, if not previously provided, the address and telephone number of each witness (except those to be used for impeachment only), separately identifying those whom the party expects to present and those whom the party may call if the need arises.

(5) The name of those witnesses whose testimony is expected to be presented by means of a deposition and designation by reference to page and line of the testimony to be offered (except those to be used for impeachment only) and, if not taken stenographically, a transcript of the pertinent portions of the deposition testimony.

(6) Proposed jury instructions and verdict forms. The parties are **ORDERED** to meet and confer and submit a joint proposed set of jury instructions. Any jury instructions to which both parties do not agree must be submitted separately with appropriate citations to the law supporting those instructions. Joint jury instructions shall be submitted in complete format as they would appear when submitted to the jury. The joint jury instructions shall also be emailed in a Word document to Priscilla Springs, Courtroom Deputy at Priscilla_Springs@txwd.uscourts.gov.

(7) An estimate of the probable length of trial.

Objections to Pretrial Submissions

Pursuant to Local Rule 16(f), the Court also **ORDERS** both parties to serve and file the following information by close of business on **Wednesday, April 24, 2019**:

(1) A list disclosing any objections to the use under Rule 32(a) of deposition testimony designated by the other party.

(2) A list disclosing any objection, together with the grounds therefore, that may be made to the admissibility of any exhibits. Objections not so disclosed, other than objections under Federal Rules of Evidence 402 and 403 shall be deemed waived unless excused by the court for good cause shown.

AS A REMINDER TO THE ATTORNEY FOR DEFENDANT: If your client is in custody, arrangements should be made with the United States Marshal Service prior to date of jury selection and trial to ensure your client has proper attire. In addition, whenever defendants or witnesses have a need for the services of the court interpreter, please notify Priscilla Springs, Courtroom Deputy at (210) 472-6550 ext 5016, no later than five (5) days before the court setting.

All exhibits shall be marked with both the case number and exhibit numbers by counsel prior to jury selection.


The Clerk of Court shall send a copy of this order to the United States Attorney, attorney for defendant, United States Marshal Service, United States Probation Office and Pretrial Services Office. **Counsel for defendant shall notify defendant of this setting** and, if defendant is on bond, advise the defendant that he/she must be present for all court settings unless excused by the Court. If defendant is in **state custody, or a writ required**, the Assistant United States Attorney shall immediately prepare and file with the Clerk's Office the appropriate application and order.

All inquiries pertaining to the above-mentioned schedule should be

directed to Priscilla Springs Courtroom Deputy at (210) 472-6550, ext. 5016 or email Priscilla_Springs@txwd.uscourts.gov.

IT IS SO ORDERED.

DATED: San Antonio, Texas, March 08, 2019.



DAVID A. EZRA
SENIOR U.S. DISTRICT JUDGE